

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

:

Tohru HIRAYAMA et al.

:

Attn: BOX PCT

Serial No. NEW

:

Docket No. 2002_0486A

Filed April 5, 2002

:

TONED-PAINT ORDER-GIVING AND
ORDER-RECEIVING SYSTEM AND
AGENT'S SERVER COMPUTER
[Corresponding to PCT/JP01/06747
Filed August 6, 2001]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

Prior to initial examination of the above-identified application, kindly amend
the application as follows:

IN THE CLAIMS:

Kindly amend the following claims:

3. (Amended) The method **according to claim 1**, characterized by retrieving
order backlogs of a plurality of toning persons by a computer system and selecting a
toning person out of the retrieval contents in the above step (2).

4. (Amended) The method **according to claim 1**, characterized by opening
said toning job to a plurality of toning persons by a computer system, accepting tenders

by said computer system, and selecting a toning person out of said toning persons in accordance with a tender result in the above step (2).

5. (Amended) The method **according to claim 1**, characterized by including (2a) a step of allowing a toning person to estimate an allowable limit of toning by a designated type of paint through the computer toning using a color-matching computation logic about the content of a toning job, transmit the data of an allowable limit of toning by said designated type of paint to a computer terminal of a paint orderer when it is difficult to prepare a toned paint by said toning job, and receive the approval of change to a toning job within said allowable limit of toning from said paint orderer after the above step (2), characterized in that said toning person prepares a toned paint corresponding to said change-approved toning job in the above step (3).

6. (Amended) The method **according to claim 1**, further including:

(5) a step of allowing a painter to prepare a test paint plate by painting the plate with said toned paint supplied by the above step (4), obtain the colorimetric data of the test paint plate, compare the colorimetric data of the test paint plate with a reference color, and determine whether the criterion of the toning end point is satisfied.

8. (Amended) The method **according to claim 6**, characterized in that a computer determines that the criterion of the toning end point is satisfied by comparing the

colorimetric data of a test paint plate with a reference color and then a painter performs full-scale painting.

11. (Amended) The method **according to claim 9**, characterized in that a toning class is further input to said computer terminal in the above step (1).

12. (Amended) The method **according to claim 9**, characterized by retrieving delivery states between toning persons and a paint orderer and the order backlog of the toning person by a computer system, selecting a toning person in accordance with the retrieval content, and giving an order for a toning job to the selected toning person in the above step (2).

13. (Amended) The method **according to claim 9**, characterized by opening a toning job to a plurality of toning persons by a computer system, accepting tenders by the computer system, and selecting a toning person in accordance with a tender result in the above step (2).

14. (Amended) The method **according to claim 9**, characterized by determining whether a measured value of the color of a toned paint plate is present in a color-end-point allowable range when preparing a toned paint and completing toning when the measured value is present in the color-end-point allowable range in step (4).

15. (Amended) The method **according to claim 9**, further including (1a) a step of allowing an agent to estimate an allowable limit of toning by a designated type of paint through the computer toning using a color-matching computation logic about the content of a toning job, transmit the data of the allowable limit of toning by the designated type of paint to a computer terminal of a paint orderer, and accepting the approval of change to a toning job within the allowable limit of toning from the paint orderer after the above step (1); characterized in that said agent selects a toning person and gives an order for said change-approved toning job to the selected toning person.

17. (Amended) The method **according to claim 9**, further including (6) a step of allowing a painter to prepare a test paint plate by test-painting the plate with said toned paint supplied by the above step (5), obtain the colorimetric data of the test paint plate, compares the colorimetric data of the test paint plate with a reference color by a computer, and determine whether the criterion of the toning end point is satisfied.

19. (Amended) The method **according to claim 17**, further including (8) a step of allowing a computer to compare the colorimetric data of a test paint plate with a reference color and determine that the criterion of the toning end point is satisfied and then, allowing a painter to perform full-scale painting.

REMARKS

The present Preliminary Amendment is submitted to delete the multiple dependencies of claims 3-6, 8, 11-15, 17 and 19, thereby placing such claims in condition for examination and reducing the required PTO filing fee.

Copies of the amended portion of the claims with changes marked therein is attached and entitled "Version with Markings to Show Changes Made."

Respectfully submitted,

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1. A paint order-giving and supplying method including:
 - (1) a step of allowing a paint orderer to input a toning job including the colorimetric data of a reference color with which the color of a paint should be matched through toning and the data of the type and a necessary quantity of the paint to a computer terminal;
 - (2) a step of selecting a toning person, connecting said computer terminal to a computer of the selected toning person, and transmitting said toning job to said selected toning person to give an order for said toning job to said toning person;
 - (3) a step of allowing said toning person to communicate the order-receiving approval of said toning job to a paint orderer and prepare a toned paint mached with said toning job; and
 - (4) a step of supplying said toned paint from said toning person to said paint orderer.
2. The method according to claim 1, characterized by further inputting a toning class to said computer terminal in the above step (1).
3. *Amended* The method according to claim 1 *[or 2]*, characterized by retrieving order backlogs of a plurality of toning persons by a computer system and selecting a toning person out of the retrieval contents in the above step (2).
4. *Amended* The method according to claim 1 *[or 2]*, characterized by opening said toning job to a plurality of toning persons by a computer system, accepting tenders by said computer system, and selecting a toning person out of said toning persons in accordance with a tender result in the above step (2).

5. *Amended* The method according to ~~any one of claims 1 to 4~~ characterized by including (2a) a step of allowing a toning person to estimate an allowable limit of toning by a designated type of paint through the computer toning using a color-matching computation logic about the content of a toning job, transmit the data of an allowable limit of toning by said designated type of paint to a computer terminal of a paint orderer when it is difficult to prepare a toned paint by said toning job, and receive the approval of change to a toning job within said allowable limit of toning from said paint orderer after the above step (2), characterized in that said toning person prepares a toned paint corresponding to said change-approved toning job in the above step (3).

6. *Amended* The method according to ~~any one of claims 1 to 5~~, further including:

(5) a step of allowing a painter to prepare a test paint plate by painting the plate with said toned paint supplied by the above step (4), obtain the colorimetric data of the test paint plate, compare the colorimetric data of the test paint plate with a reference color, and determine whether the criterion of the toning end point is satisfied.

7. The method according to claim 6, characterized by repeating (6) a step of displaying a painting condition which may satisfy the criterion of the toning end point by said computer when the criterion of said toning end point is not satisfied in the above step (5) and allowing a painter to prepare a test paint plate again by test-painting the plate with a toned paint in the same step as the above step (5) under said painting condition, compare the colorimetric data of said test paint plate with a reference color by a computer, and

determine whether the criterion of the toning end point is satisfied until the criterion of the toning end point is satisfied.

8. *Amended* The method according to claim 6 *[or 7]*, characterized in that a computer determines that the criterion of the toning end point is satisfied by comparing the colorimetric data of a test paint plate with a reference color and then a painter performs full-scale painting.

9. A toned-paint order-giving and supplying method including:

(1) a step of allowing a paint orderer to input the colorimetric data of a reference color with which the color of a paint should be matched through toning and the type and a necessary quantity of the paint to a computer terminal, connect the computer terminal to a server computer of an agent, and enter a toning job;

(2) a step of allowing said agent to select a toning person and give an order for said toning job to said selected toning person;

(3) a step of allowing said agent to obtain an order-receiving approval from said toning person and transmit an order-receiving decision to a computer terminal of said paint orderer;

(4) a step of allowing said toning person to prepare a toned paint corresponding to the content of said toning job; and

(5) a step of supplying said toned paint to said paint orderer.

10. The method according to claim 9, characterized that a paint orderer is a repair painter.

11. *Amended* The method according to claim 9 *[or 10]*, characterized in that a toning class is further input to said computer terminal in the above step (1).

12. *Amended* The method according to ~~[any one of]~~ claims 9 to 11, characterized by retrieving delivery states between toning persons and a paint orderer and the order backlog of the toning person by a computer system, selecting a toning person in accordance with the retrieval content, and giving an order for a toning job to the selected toning person in the above step (2).

13. *Amended* The method according to ~~[any one of]~~ claims 9 to 11, characterized by opening a toning job to a plurality of toning persons by a computer system, accepting tenders by the computer system, and selecting a toning person in accordance with a tender result in the above step (2).

14. *Amended* The method according to ~~[any one of]~~ claims 9 to 13, characterized by determining whether a measured value of the color of a toned paint plate is present in a color-end-point allowable range when preparing a toned paint and completing toning when the measured value is present in the color-end-point allowable range in step (4).

15. *Amended* The method according to ~~[any one of]~~ claims 9 to 14, further including (1a) a step of allowing an agent to estimate an allowable limit of toning by a designated type of paint through the computer toning using a color-matching computation logic about the content of a toning job, transmit the data of the allowable limit of toning by the designated type of paint to a computer terminal of a paint orderer, and accepting the approval of change to a toning job within the allowable limit of toning from the paint orderer after the above step (1); characterized in that said agent selects a toning

person and gives an order for said change-approved toning job to the selected toning person.

16. The method according to claim 15, characterized by transmitting the computer toning data estimating an allowable limit of toning by a designated type of paint to selected toning person when giving an order for a change-approved toning job to the selected toning person in the above step (2).

17. *Amended* The method according to any one of claims 9 to 16, further including (6) a step of allowing a painter to prepare a test paint plate by test-painting the plate with said toned paint supplied by the above step (5), obtain the colorimetric data of the test paint plate, compares the colorimetric data of the test paint plate with a reference color by a computer, and determine whether the criterion of the toning end point is satisfied.

18. The method according to claim 17, characterized by repeating (7) a step of displaying a painting condition which may satisfy the criterion of the toning end point by said computer and allowing a painter to prepare a test paint plate by test-painting the plate with a toned paint in the same step as the above step (6) when the criterion of the toning end point is not satisfied in the above step (6), compare the colorimetric data of the test paint plate with a reference color by said computer, and determine whether the criterion of the toning end point is satisfied until the criterion of the toning end point is satisfied.

19. *Amended* The method according to claim 17 or 18, further including (8) a step of allowing a computer to compare the colorimetric data of a test paint plate with a reference color and determine that the

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criterion of the toning end point is satisfied and then, allowing a painter to perform full-scale painting.

20. A toned-paint order-giving and order-receiving method characterized by including:

(1) a step of allowing a paint orderer to input the colorimetric data of a reference color with which the color of a paint should be matched through toning and the type and a necessary quantity of the paint to a computer terminal, connect the computer terminal to a server computer of an agent, and enter a toning job;

(2) a step of allowing said agent to select a toning person and give an order for a toning job to the selected toning person; and

(3) a step of allowing said agent to obtain an order-receiving approval from said toning person and transmit an order-receiving decision to a computer terminal of said paint orderer.

21. A toned-paint order-giving and order-receiving system including:

(a) a paint-orderer's computer terminal in which a toning job including the information about the colorimetric data of a reference color with which the color of a paint should be matched through toning and the type and a necessary quantity of the paint are input;

(b) an agent's server computer in which the toning job sent from said paint-orderer's computer terminal is entered and which gives an order for the toning job to a toning person selected out of toning-person data and transmits the order-receiving decision of the toning person to said paint-orderer's computer terminal; and

(c) a toning-person's computer terminal for transmitting the order-receiving approval of the toning person about said toning job to the agent's server computer; characterized in that said

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